

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CYNTHIA A. DODSON,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of the  
Social Security Administration,

Defendant.

Case No. 09-cv-974-JCC-JPD

REPORT AND RECOMMENDATION

Plaintiff brought this action to seek judicial review of the denial of his application for disability benefits by the Commissioner of the Social Security Administration. Dkt. No. 1. The parties have stipulated that this case should be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. No. 23.

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings. The parties have stipulated that on remand, an Administrative Law Judge (“ALJ”) shall:

1) Consider the mental health treatment notes made by Beth Sandman, M.D., from Seattle/Sound Mental Health (Tr. 184-88, 246-48, 250-62), in light of her status as an acceptable medical source, as well as the relevant regulations pertaining to the severity (20 C.F.R.

1 §§ 404.1520-.1521, 416.920-.921) and duration (20 C.F.R. §§ 404.1509, 416.909) of the  
2 impairments identified therein;

3 2) Reassess the claimant's RFC to provide a more specific RFC assessment,  
4 including capabilities beyond one- to two-step level work, and to consider new evidence  
5 submitted with a subsequent application;

6 3) Reassess step four, specifically comparing demands of Plaintiff's past relevant  
7 work as a medical receptionist with her reformulated RFC assessment; and

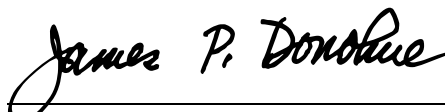
8 4) Assess further, as warranted by findings of preceding evaluations, the alternative  
9 step five finding.

10 Plaintiff may also present new arguments and further medical evidence, if such evidence  
11 becomes available.

12 The parties further stipulate that, upon proper presentation, Plaintiff is entitled to  
13 reasonable attorney fees and costs pursuant to 28 U.S.C. § 2412(d).

14 A proposed order accompanies this Report and Recommendation.

15 DATED this 27th day of April, 2010.

16  
17 

18 JAMES P. DONOHUE  
19 United States Magistrate Judge  
20  
21  
22  
23  
24